

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 4965

Ferdinand Hermann BAHLMANN, *et al.*

Date: April 29, 2009

Serial No.: 10/586,896

Group Art Unit: 1647

Filed: October 16, 2006

Examiner: Regina M. Deberry

For: USE OF LOW-DOSE ERYTHROPOIETIN FOR STIMULATING ENDOTHELIAL PRECURSOR CELLS, REGENERATING ORGANS, AND SLOWING DOWN PROGRESSION OF END ORGAN DAMAGE

VIA EFS - WEB

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a response to the Office Action mailed March 31, 2009 in the above-identified application. Reconsideration of the application is respectfully requested.

FEE CALCULATION

Any additional fee required has been calculated as follows:

If checked, "Small Entity" status is claimed.

NO. CLAIMS AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	EXTRA PRESENT	RATE	ADDIT. FEE
TOTAL 24	MINUS 20	* = 4	X (\$26 SE or \$52)	\$208
INDEP. 18	MINUS 19	** = 0	X (\$110 SE or \$220)	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				\$0
* not less than 20 ** not less than 3				TOTAL \$ 208

If any additional payment is required, a check which includes the calculated fee of \$ _____ (OFGS Check No. _____) is attached.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

SUMMARY OF AMENDMENTS

1. If checked, an abstract (an amended abstract) is submitted herewith.
2. If checked, amendment(s) to the drawings are submitted herewith.
3. If checked, amendment(s) to the specification are submitted herewith.
4. If checked, amendment(s) to the claims are submitted herewith.